

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MEMORANDUM

Case No. CV 11-2711 DSF (MANx)

Date 8/10/11

Title Monique Atwell, et al. v. CMG Mortgage, Inc., et al.

Present: The Honorable DALE S. FISCHER, United States District Judge

Debra Plato

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (In Chambers) Order STRIKING Plaintiffs' Motion to Remand
(Docket No. 28) and Order to Show Cause

On July 27, 2011, the Court issued an order that required Plaintiffs to advise by August 1, 2011 whether they had complied with Local Rule 7-3 before filing their motion to remand. (Docket No. 29.) Plaintiffs never responded to this order. For this reason, the Court STRIKES the motion to remand.

Plaintiffs' request for fees appears frivolous as the removal was clearly proper. In addition, Plaintiffs' counsel must show cause by August 17, 2011 why the Court should not sanction her \$250 for failing to respond to the Court's July 27, 2011 order.

Defense counsel should be prepared to show cause at the scheduling conference why the Court should not exercise its discretion to remand this matter. Acri v. Varian Associates, Inc., 114 F.3d 999, 1000 (9th Cir. 1997); see 28 U.S.C. § 1367(c) Comm. on 1988 Rev.

IT IS SO ORDERED.